

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :
 :
 V. : Docket No.: 0313 2:23CR00133-001
 :
 ZACHARY WILLIAM EASTERLY :

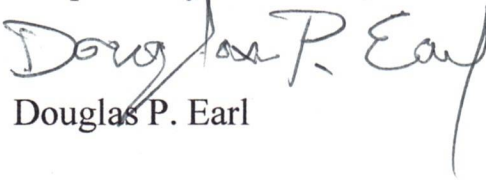
Objections to Presentence Investigation Report Paragraphs 10 and 11

In order to consider the objections to paragraphs 10 and 11 of the Presentence Investigation Report it is necessary to view the video of the physical contact between Mr. Easterly and complaining witness special agent with the Federal Air Marshall Service. The video is readily available. One can see the entire encounter on video in real time. The involvement of the Air Marshall and the defendant on the video is less than twenty seconds. Watching the video also lessens arguments about what actually happened.

Please accept the following objections requesting modifications in your report to paragraphs 10 and 11. I request that you view the video of this incident rather than just a written report. The video is less than 4 minutes in totality. The involvement of the Air Marshal on the video is very short. At 1:55 of the video, there is an African American who identifies himself as the manager who was close to Mr. Easterly. About 13 seconds later, there was a second person who was shouting at Mr. Easterly. This person was a white male who was shouting things such as "F..." Mr. Easterly up. This was very harsh heckling. About 24 seconds later, the manager had his hand across the chest of Mr. Easterly. About 3 seconds later, the third person showed up. This person was the complainant, the Air Marshal. About a second later, the Air Marshal extended his left hand to Mr. Easterly. Only a second after that, Mr. Easterly used his right hand to extend it towards the Air Marshal. Almost at the same time the Air Marshal twisted the right hand of Mr. Easterly and pushed him to the wall. Three seconds later, the security and the manager put Mr. Easterly on the ground with force. 10 seconds later you can see that the manager had half of his body on Mr. Easterly's face.

Counsel simply asks Brett A. White, United States Probation Office ED/PA, watch the video of the incident and make his own independent conclusion.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas P. Earl". The signature is written in a cursive style with a large, sweeping "D" and a long, trailing flourish at the end.

Douglas P. Earl

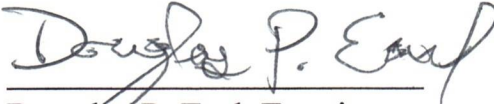
PROOF OF SERVICE

This is to certify that a true and correct copy of the foregoing has been served on upon:

Brett A. White
United States Probation Office ED/PA
Federal Building
Suite 1401
504 W. Hamilton Street
Allentown, PA 18101

Vineet Gauri, Esquire
Assistant U.S. Attorney
615 Chestnut Street
Suite 1250
Philadelphia, PA 19106

Date: 7/13/23


Douglas P. Earl, Esquire